

U.S. PTO Customer No. 25280

Case No.: 5132A

REMARKS*The Pending Claims*

Claims 42, 59, and 60 have been amended and thus Claims 42-57, 59-60 and 63-66 are currently pending in the application.

Summary of the Office Action

The Office Action dated October 11, 2006, included the following rejections, objections, and comments:

1. Claims 59-60 were objected to because of informalities.
2. Claims 42-47, 59-60, and 63-66 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and claim the subject matter which Applicant regards as the invention.
2. Claims 42-47, 59-60, and 63-66 were rejected under 35 U.S.C. 103(a) as being unpatentable over Simon (US Patent 5,632,172) in view of Kroll (US Patent 6,968,574).

In response to these rejections and in view of the above Amendments, Applicant provides the following Remarks:

Applicants have amended claims 59 and 60 to depend from claim 1.

Claims 42-47, 59-60, and 63-66 were rejected as being indefinite for not positively setting forth or reciting a definite range of the density in either the warp or weft direction. Applicants have amended claim 42 to be clearer. Claim 42 now states that the base textile comprises flat regions and puckered regions, said flat regions having a density greater than the density of said puckered regions, wherein density is defined as the number of yarns per linear distance. Applicants believe that the amended claim 42 to distinctly claim the invention distinguish the current application from any woven or knitted fabric.

Claims 42-47, 59-60, and 63-66 were rejected under as being unpatentable over Simon in view of Kroll. Applicants respectfully traverse this rejection. All the claim limitations must be taught or suggested by the prior art as stated in MPEP § 2143.03. Amended claim 42 states that the flat regions and puckered regions are formed by subjecting areas of the base textile to hot air streams. Applicants respectfully believe that this limitation is not disclosed, taught, or suggested by Simon. Simon displaces yarns or fibers by using light density or loosely woven fabrics that are subjected to a

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hydrojet treatment while in contact with a support surface having a pattern of raised areas (Col 1 line 64 – Col 2 line 4). Applicants respectfully believe that that addition of Kroll does not cure this deficiency.

CONCLUSION

In view of the forgoing amendments and remarks, the Examiner is respectfully requested to withdraw the outstanding rejection and to pass the subject application to allowance. In the event that the Examiner believes that the claims would be allowable with minor changes, the Examiner is invited to telephone the undersigned to discuss an Examiner's Amendment.


Fee Authorization: In the event that there are additional fees associated with the submission of these papers, Applicant hereby authorizes the Commissioner to withdraw those fees from our Deposit Account No. 04-0500.

Extension of Time: In the event that additional time is required to have the papers submitted herewith for the above referenced application to be considered timely, Applicant hereby petitions for any additional time required to make these papers timely and authorization is hereby granted to withdraw any additional fees necessary for this additional time from our Deposit Account No. 04-0500.

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Respectfully submitted,

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